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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/963,777

09/26/2001

Robert S. Kieval

1151.1106101

1758

20350

7590

06/28/2004

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EXAMINER

OROPEZA, FRANCES P

ART UNIT

PAPER NUMBER

3762

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/963777

9/26/2001

KIEVAL, ROBERT S. ET AL.

021433-000120US

EXAMINER

OROPEZA, F

ART UNIT	PAPER
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3762

20040619

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Commissioner for Patents

The reply filed on 3/25/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The Applicant responded the restriction requirement by electing to prosecute "the third species (Figures 22E and 22F) and the sixth species (Figure 25)". The Applicant further elected "to prosecute claims 1-9, 11-21, 23-32 and 35-47, all of which are drawn to methods or apparatus which may be described by Figures 22E, 22F and/or 25." Upon reviewing the claims defined by the Applicant that reflect Figures 22E, 22F and 25, it appears claims have been included in the election that are not consistent with the figures. For example, claim 4, which was included in the election, recites the base is wrapped in a helical manner, yet this not reflected in figures 22E and 22F, but rather is associated with the non-elected figure 22B. As a second example, the electrodes in figures 22E and 22F are the wrapped around the internal and external carotid arteries, yet claim 5, which was included in the election, recites wrapping the electrode around the internal carotid artery as shown in non-elected figures 22A, 22B and 22C. As a final example, the electrodes of figures 22E and 22F are oriented substantially perpendicularly to the longitudinal axis of the carotid sinus, yet claim 12, which was included in the election, comprises electrodes oriented substantially parallel to the longitudinal axis of the cordtid sinus as shown in non-elected electrode configuration figure 24. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Frances P. Oropeza
Patent Examiner
Art Unit 3762

FP
6/18/04

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